

REMARKS

Claims 1, 2, and 4-16 are currently pending in the present application, with Claims 1, 10, and 15 being amended. Reconsideration and reexamination of the claims are respectfully requested.

The Examiner rejected Claims 1-16 under 35 U.S.C. 103 as being unpatentable over Jones (U.S. patent No. 5,412,730) in view of Lynn (U.S. patent no. 5,345,508) and further in view of DeBells (U.S. patent no. 6,044,388) and further in view of Dent (U.S. patent no. 5,060,266). This rejection respectfully traversed with respect to the pending claims.

Applicants note that the rejection is essentially the same as the rejection made by the Examiner from the previous final Office Action. The Examiner has cited one additional reference, DeBells, in an attempt to fill the deficiencies of the other three previously cited prior art references.

It is the Applicants' position that the Appeal Brief, filed on July 15, 2005, is fully responsive to the Examiner's present rejection, except with respect to the reference DeBells, which is addressed below.

As discussed in Section VII of the Appeal Brief, Applicants respectfully submit that none of Jones, Lynn, or Dent contain any disclosure or suggestion of a timing circuit having a timing source that compares the difference between a current time value and a crypto midnight value, and sends the compared difference to a time/key initialization device that causes the pseudo-random number generator to cycle through a set of initialization PRNs until the current time value is "caught up" by the generator.

As explained in the Appeal Brief, Lynn does not disclose any such initialization procedure. The "initialization vector," as pointed out by the Examiner, is unrelated to any time difference between a crypto midnight value and a current time value. Rather, as explained in detail in the Appeal Brief, the IV is essentially a session key that is generated for each session of communication and to be combined with PRNs. There is simply no mention of a crypto midnight value of any kind, or cycling through a set of initialization PRNs of any kind.

DeBellis does not make up for this deficiency. The Examiner cites DeBellis as a reference that discloses the use of identical base values (i.e., secret values and time dependent values) and updated secret value to generate pseudo random numbers for use as encryption keys.

However, DeBellis, like the other references, does not contain any disclosure or suggestion of a crypto midnight value, and the cycling through of an initial set of PRNs until the generator is synchronized with a current time value. The "secret value" as mentioned in DeBellis is not a crypto might value. Rather, DeBellis simply teaches the use of public key exchange scheme (such as the Diffie-Hellman key exchange protocol), in which a secret value is arbitrarily chosen by the parties to construct a one-way function value. The secret values must be picked for each session, and is by no means an initialization value of any kind.

Again, while the Examiner cites language from Lynn to support the motivation for combining the now total of four references cited for combination, Applicants note that the language cited (at page 5 of the Detailed Action) is simply a general goal, and respectfully submit that the language cited is insufficient as motivation for combining the references in the manner suggested by the Examiner.


In view of the foregoing, Applicants respectfully submit that the pending claims are not obvious in view of the cited references, and that all of the pending claims are in condition for allowance. Reconsideration and reexamination of the claims, as amended, are respectfully requested. The Examiner is encouraged to telephone the undersigned attorney if doing so would advance the prosecution of the present application.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 578062000300.

Respectfully submitted,

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